

City Council Meeting August 3, 2022

The Wymore City Council met in open and public session on August 3, 2022, in the Council Chambers. Mayor Milton Pike called the meeting to order at 7:00 PM. Present were Council persons Max Allen, Sue Sapp, and Neil Van Boening. Council Person Curt Oblinger was absent. City Attorney Andy Carothers was also in attendance. Notice of the meeting was given in advance by posting in three places: Wymore Post Office, Arbor State Pharmacy, and the City Office. Notice was given to the Mayor and Council and their acknowledgement of receipt is attached. All proceedings shown were taken while the meeting was open to the public.

Max made a motion to approve the July 20th meeting minutes. Neil seconded the motion. Motion carried 3-0.

Max made a motion to approve the July 27th special meeting minutes. Sue seconded the motion. Motion carried 3-0.

Max made a motion to approve Claims and Payroll except checks 25655, 25678, and 25700. Sue seconded the motion. Motion carried 3-0.

Max made a motion to table the approval of checks 25655, 25678, and 25700 to the next either special or regularly scheduled meeting. Sue seconded the motion. Motion carried 3-0.

There was no public comment.

Dilapidated Properties: Andy Carothers stated the Thomas Foundation grant application is done. He planned to have the mayor sign it this evening and submit it the next day.

Business:

David Canfield was in attendance requesting permission to move a modular home from 816 W H St to 809 S 9th which is in the flood plain. After much discussion the council advised David to speak to the Flood Plain Administrator. Tim Sedlacek will get David the contact information and help get the process started. He can reapply when he has satisfied the FEMA and state regulations for building in a flood plain.

Max made a motion to open the public hearing on the Blight and Substandard Study. Sue seconded the motion. Motion carried 3-0. Collin Meints was in attendance to represent the CRA board. He stated they wanted to increase the blighted area along the highway to include properties one block on each side of the highway south to A street and north of M street except from Dollar General north on M which is outside the corporate limits. They also wanted to include the area from F to G street between 14th and 11th street. This would make it possible for the school and business owners in those areas to apply for Tax Increment Financing and Grants. Andy stated this is a good way to attract new businesses to town as well as those who are going to be looking to open businesses along the highway corridor.

Hearing no further public comment Sue made a motion to close the public hearing on the Blight and Substandard Study. Max seconded the motion. Motion carried 3-0.

After some questions from the council Andy explained the difference between the two resolutions and why the Blight and Substandard study was used to be able to offer TIF funds to help improve the city.

Neil made a motion to approve resolution 2022-02 Approval of the Blight and Substandard Declaration. Sue seconded the motion. Motion carried 3-0.

Andy read resolution 2022-02.

RESOLUTION # 2022-02

(Blight and Substandard Declaration – Redevelopment Area #2)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYMORE, NEBRASKA, DECLARING A PORTION OF THE CITY OF WYMORE, NEBRASKA TO BE BLIGHTED AND SUBSTANDARD.

RECITALS

- A. It is desirable and in the public interest of the City of Wymore, Nebraska (the “City”) to undertake and carry-out redevelopment projects in areas of the City that are determined to be substandard and blighted and in need of redevelopment.
- B. The Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the “Act”), prescribes the requirements and procedures for the planning and implementation of redevelopment projects.
- C. Section 18-2109 of the Act requires that, prior to the preparation of a redevelopment plan for a redevelopment project, the City Council as the governing body of the City, by resolution, declare the area to be a substandard and blighted area in need of redevelopment.
- D. Hanna:Keelan Associates, P.C. has prepared the Blight & Substandard Determination Study (the “Blight and Substandard Study”) for a certain portion of the City described on the attached Exhibit “A”, which is incorporated by this reference (“Redevelopment Area #2”). A copy of the Blight and Substandard Study is on file with the City Clerk of the City of Wymore.
- E. On August 03, 2022, the City Council held a public hearing on the question of whether Redevelopment Area #2 is substandard and blighted and in need of redevelopment, as defined in and pursuant to the Act. All interested parties were afforded a reasonable opportunity to express their views respecting the submitted question.
- F. Prior to the public hearing, the City Council submitted said question to the Planning Commission of the City for its review and recommendation. The Planning Commission recommended that Redevelopment Area #2 be declared substandard and blighted and in need of redevelopment in accordance with the Act.
- G. The City Council has reviewed the Blight and Substandard Study and the blight and substandard requirements set forth in the Act.
- H. The City Council has reviewed the recommendations received from the Planning Commission and has duly considered all statements made and material submitted related to the submitted question.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Wymore, Nebraska as follows:

- 1. Redevelopment Area #2 is hereby declared to be substandard and in need of redevelopment pursuant to the Act, in that conditions now exist in said area meeting the criteria set forth in Section 2103(31) of the Act, as described and set forth in the Blight and Substandard Study.
- 2. Redevelopment Area #2 is hereby declared to be blighted and in need of redevelopment pursuant to the Act, in that conditions now exists in said area which meet one or more of the factors set forth in Section 18-2103(3)(a) of the Act and at least one of the factors set forth in (i) to (v) of Section 18-2103(3)(b) of the Act, as described and set forth in the Blight and Substandard Study.
- 3. The blighted and substandard conditions existing in Redevelopment Area #2 are beyond remedy and control solely through the regulatory process and the exercise of police power and cannot be dealt with

effectively by the ordinary operations of private enterprise without the aids provided by the Act, and the elimination of said blighted and substandard conditions under the authority of the Act is hereby found to be a public purpose and declared to be in the public interest.

4. Redevelopment Area #2 is in need of redevelopment and is an eligible site for a redevelopment project under the provisions of the Act.

Dated this 3rd day of August, 2022.

Neil rescinded his motion and Sue rescinded her second.

Neil made a motion to amend resolution 2022-02 to correct the dates from June 15, 2022, to August 3, 2022. Motion carried 3-0.

Sue made a motion to approve resolution 2022-02 as amended. Neil seconded the motion. Motion carried 3-0.

Max made a motion to amend resolution 2022-03 to correct the dates in paragraph 'b' and 'd' and the effective date from June 15, 2022, to August 3, 2022. Neil seconded the motion. Motion carried 3-0.

Max made a motion to approve resolution 2022-03 as amended. Sue seconded the motion.

Andy read resolution 2022-03

RESOLUTION # 2022-03

(Redevelopment Plan – Redevelopment Area #2)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYMORE, NEBRASKA, APPROVING A REDEVELOPMENT PLAN FOR THE CITY OF WYMORE, NEBRASKA.

RECITALS

A. Hanna:Keelan Associates, P.C. has prepared a General Redevelopment Plan (the "Redevelopment Plan") for a certain portion of the City of Wymore, Nebraska (the "City") identified as Redevelopment Area #2 (the "Redevelopment Area"). A copy of the Redevelopment Plan is on file with the City Clerk of the City of Wymore.

B. On August 03, 2022, the Planning Commission of the City reviewed the Redevelopment Plan and subsequently recommended that the Redevelopment Plan be approved by the City Council for the City.

C. On June 15, 2022, Community Redevelopment Authority of the City of Wymore, Nebraska (the "CRA") reviewed the Redevelopment Plan and subsequently recommended that the Redevelopment Plan be approved by the City Council for the City.

D. On August 03, 2022, the City Council held a public hearing on the question of whether Redevelopment Plan should be approved.

E. The City Council has reviewed the Redevelopment Plan and the recommendations received from the Planning Commission and the CRA.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Wymore, in accordance with the Nebraska Community Development Law, Neb. Rev. Stat. §§ 18-2101 through 18-2155, as amended (the "Act"), as follows:

1. The Redevelopment Area is in need of redevelopment to remove blight and substandard conditions identified pursuant to the Act.
2. The Redevelopment Plan will, in accordance with the present and future needs of the City of Wymore, promote the health, safety, morals, order, convenience, prosperity, and the

general welfare of the community in conformance with the legislative declarations and determinations set forth in the Act.

3. The Redevelopment Plan is in conformance with the general plan for development of the City of Wymore as a whole, as set forth in the City of Wymore Comprehensive Plan, as amended.

BE IT RESOLVED, that pursuant to the provisions of the Act and in light of the findings in paragraphs 1 through 3 above, the Redevelopment Plan is hereby approved and adopted by the City Council as the governing body of the City.

Dated this 3rd day of August, 2022.

Motion carried 3-0.

There was discussion about budgeting properly to save money for projects. Janet stated there is a meeting set up with the accountant at the office on August 11th at 1:30pm. All department heads will be invited along with any council members who would like to attend.

Tim Sedlacek gave an update on the storm damage. There was extensive discussion about how to dispose of the large brush pile. No action was taken.

Sue made a motion to adjourn. Max seconded the motion.

Meeting adjourned 8:30 pm

Respectfully submitted

Mon Pike, Mayor

Janet Riensche, City Clerk

